

sweetened in part by a nonnutritive, artificial sweetener, sodium cyclamate, had been substituted in whole or in part for an article which the food purported to be, whose sweetness was derived from natural sweeteners; 403(a)—the label statements, including the name of the article "instant breakfast" which represented and suggested that the article was an instant breakfast, that it was a meal in a glass, that it provided more protein than two eggs, more energy than two servings of most cereals; that it promoted pep and energy throughout the morning; and that it would promote the appetite of children who won't eat; which statements were false and misleading, since they were contrary to fact; 403(a)—the label statement "sodium cyclamate (a non-nutritive artificial sweetener which should be used only by persons who must restrict their intake of ordinary sweets)" was misleading, since the article also contained the added ordinary sweeteners, sugar and lactose; and 403(a)—the article labeled "vanilla flavor" bore the label statement "Vanilla Flavor," which statement was false and misleading as applied to an article containing the artificial flavors vanillin and ethyl vanillin.

DISPOSITION: 10-21-64. Default—delivered to a charitable institution for use in the institution and not for sale.

30196. Dietary supplements. (F.D.C. No. 50146. S. Nos. 49-582/4 A.)

QUANTITY: 25 100-capsule btls. of X-Tra-Hi capsules, 23 100-capsule btls. of Magnum Vitamin B Complex capsules, and 11 100-capsule btls. of Vitamin B Complex Special Formula, at Birmingham, Mich., in possession of Vitamin Center.

SHIPPED: 3-4-63 and 10-17-63, from Buffalo, N.Y.

LABELS IN PART: (Btls.) "X-Tra-Hi Geriatric-Therapeutic Fortified with Vitamins A, D, C, B₁₂ and Niacinamide Vitamin-Center Distributors Detroit 31, Michigan Each Capsule contains: * * * Folic Acid USP 0.25 mg. * * * Directions * * * one capsule daily," "Magnum Therapeutic Vitamin B Complex Fortified With Liver, Iron, Folic Acid, Vitamin C and B₁₂ Vitamin Center Distributors Detroit 31, Michigan * * * Each Capsule Contains * * * Folic Acid 0.25 mg. * * * one capsule daily," and "Therapeutic Vitamin B Complex A Special Formula Fortified With Liver, Iron, Folic Acid, Vitamin C, Choline, Inositol and B₁₂ Vitamin-Center Distributors Detroit 31, Michigan * * * Each Capsule Contains * * * Folic Acid 0.1 mg. * * * one or two capsules daily."

RESULTS OF INVESTIGATION: The articles had been shipped in bulk as above and had been repacked by the dealer.

LIBELED: 5-27-64, E. Dist. Mich.

CHARGE: 402(a)(2)(C)—while held for sale, the articles contained the food additive, folic acid, which, in the amount provided by the directed daily intake, was unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption; 403(a)—statements in the labeling of the articles, (X-Tra-Hi capsules) "Fortified with Vitamins A, D, C, B₁₂ and Niacinamide," (Magnum Vitamin B Complex) "Fortified with liver, iron, folic acid, vitamin C and B₁₂," and (Vitamin B Complex Special Formula) "Fortified with liver, iron, folic acid, vitamin C, choline, inositol and B₁₂" were false and misleading in that they exaggerated the nutritional significance of such ingredients in the articles; and 403(a)—the listing on the labels of the articles of the following ingredients, (X-Tra-Hi capsules) choline, inositol and methionine, (Magnum Vitamin B Complex)

desiccated liver, wheat germ oil, choline, inositol, magnesium, manganese, potassium, and zinc, and (Vitamin B Complex Special Formula) desiccated liver, wheat germ oil, choline, inositol, methionine, magnesium, manganese, potassium, and zinc, was false and misleading in that it implied and suggested that the nutritional value of the articles was enhanced by the presence of those ingredients, whereas the nutritional value of the article was not enhanced by the presence of those ingredients in the articles.

DISPOSITION: 8-12-64. Default—destruction.

30197. Dietary supplements. (F.D.C. No. 50562. S. No. 36-312 A.)

QUANTITY: 9 90-capsule btls. and 9 45-capsule btls. at Harlingen, Tex.

SHIPPED: Prior and subsequent to 8-25-63, by Los Angeles Pharmacal Co., from Sun Valley, Calif.

LABEL IN PART: (Btl.) "Uno A Tres Therapeutic Formula Super High Potency Multiple Vitamin and Mineral Dietary Supplement distributed by D'Franssia Laboratories, P.O. Box 44, Los Angeles 53, Calif. * * * Directions for use * * * one to three capsules daily * * * Folic Acid 1 mg."

LIBELED: 9-10-64, S. Dist. Tex.

CHARGE: 402(a)(2)(C)—when shipped, the article contained the food additives, folic acid, iodine, menadione, molybdenum, cobalt, and nickel, which were unsafe within the meaning of 409 since they and their use or intended use were not in accordance with a regulation or exemption in effect; 403(a)—the label statement "The need in human nutrition has not been established," as applied to vitamin B₁₂, vitamin E, calcium pantothenate, manganese, and zinc, was false and misleading, since the need in human nutrition for these ingredients has been established; and 403(a)—the listing in the label of para-aminobenzoic acid, inositol, choline, hesperiden, rutin, and desiccated liver suggested and implied that the nutritional value of the article was significantly enhanced by their presence which suggestions and implications were false and misleading since these ingredients are of no nutritional value for dietary supplementation.

DISPOSITION: 10-16-64. Default—destruction.

30198. Special geriatric capsules and multi-vitamin capsules. (F.D.C. No. 49901. S. Nos. 2-321/2 A.)

QUANTITY: 129 100-capsule btls. of special geriatric capsules, and 95 individually ctn'd. 100-capsule btls. of multi-vitamin capsules, at Memphis, Tenn.

SHIPPED: 2-13-64, from Jacksonville, Fla., by Watkins Quality Products.

LABELS IN PART: (Btls.) "Watkins * * * Dietary Food Capsules Special Geriatric Formula Multi-Vitamins With Minerals * * * Vitamins and Minerals In Each Capsule: * * * Folic Acid 0.34 mg. Inositol 20 mg. Biotin 30 mcg. Rutin 10 mg. DL-Methionine 20 mg. Choline Bitartrate 30 mg. Betaine, Anhydrous 10 mg. Liver, Desiccated 100 mg. * * * Potassium (Potassium Sulfate) 6 mg. * * * Magnesium (Magnesium Sulfate) 3 mg. Manganese (Manganese Sulfate) 1 mg. * * * Zinc (Zinc Sulfate) 1 mg. [or "Dietary Food Capsules Multi-Vitamins With Minerals 10 Minerals and 11 Vitamins All In One Capsule * * * Folic Acid 0.25 mg. Calcium (Dicalcium Phosphate) 60 mg. Phosphorus (Dicalcium Phosphate) 46 mg. * * * Potassium (Potassium Sulfate) 6 mg. * * * Magnesium (Magnesium Sulfate) 5 mg. Manganese (Manganese Sulfate) 1.5 mg. * * * Sodium (Sodium Ascorbate) 3 mg. Zinc (Zinc Sulfate) 1 mg."] * * * Distributed by Watkins Products, Inc. Winona, Minnesota."